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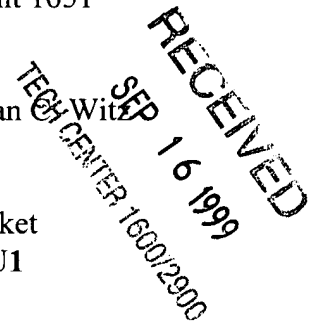
BY: Martha O. Helber

DATE: September 13, 1999

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re: Patent Application of Darwin J. Prockop *et al.* : Group Art Unit 1651  
Appln. No: 08/913,918 :  
Filed: December 8, 1997 : Examiner: Jean C. Witz  
Title: ISOLATED STROMAL CELLS AND : Attorney Docket  
METHODS OF USING SAME : No. 9855-14U1  
: (TJU-1857)



**RESPONSE TO ELECTION OF SPECIES REQUIREMENT**

Responsive to the Election of Species Requirement dated August 16, 1999 (Paper No. 12), issued in connection with the above-identified application, Applicants hereby elect  
**a gene construct encoding an obesity factor.**

The Applicants believe that each of pending claims 37, 38, and 55-68 are readable on the elected species.

An early and favorable first office action on the merits is respectfully requested.

Respectfully submitted,  
**Darwin J. Prockop, et al.**

September 13, 1999  
(Date)

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